G. R. S. 59]

GPB—15,000 20-12-13

GENERAL AND REVENUE SECRETARIAT.

1903

(Circular)

File No. 120--03

Serial Nos. 9, 16, 19, 22 & 27.

Papers Filed.

Month of November 1903.

SUBJECT.

Extradition warrants for the Surrender of K. & Abdul Rahimman and Hakmeddin.

PREVIOUS REFERENCES.	LATER REFERENCES.
	Inclosed. V. R. I. Rhymmanna Commandant

Office of the Dewan of Mysore.

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

SECTION Cereal

Branch Judicial FILE No. 120 - 03

SERIAL No.

Subject Extradition warrant

Letter No. C. 606 dated 2 October 1903 from the D.C. Kolar requesting that the Hon'ble the Resident may be moved to issue an —— for the surrender of K. Abdul Rahiman and Fakruddin accused of Criminal Breach of Trust.

Submitted for orders with draft.

GKP
26/10/03.

There is a fairly good prima facie case against Abdul Rahiman

As otherwise as regards his father Fakruddeen:

In the first place, the act of this accused ~~complained~~ took place at Singapore in British territory & (he being a British subject) it is not cognizable by Mysore Courts -

In the second place, the "stolen property" found in possession consisted of unregistered notes, not capable of identification. The

allegation that they were found in a bag of the Complt's seems to be an after thought. Also, it is clear that the mere fact that they were found in the 2d accd possession is sufficient to constitute the act of secreting in the concealment clause of section 414 of the I.P.C.

Perhaps therefore his name may be omitted from the letter to the 2d Resident, & the extradition of Abdul Rahim alone asked for. If this is approved, the draft can be modified accordingly.

27/10/13

I think the alteration may be made.

28/10/13

To the Dewan,
through the 2nd. Councillor.

4446
29-10-13.

The case against the 2d accused is fairly strong and I would accordingly ask for a warrant of extradition against him. He is already in custody.

Neither the 2d accused is on bail and there is very little evidence implicating him. I do not ask for his extradition.

The draft may be

3

~~Mod~~ Modified & typed clause -

CP

31-10-03

With modified draft

13723
2.11.03

4/11/3

Submitted
2-11-03

1

Urgent

MYSORE GOVERNMENT SECRETARIAT

1903. 2410-2. 1633 C

From H. E. C. Carpenter Esqre
Deputy Commissioner
& District Magistrate Kolar District.

SECTION Coorg & Distts

FILE No. 120 - 02 To

SER'AL No. 7

H. V. Nanjundayya Esqre
Secretary to the
Government of
Mysore.

Dated 22nd Oct 1903

Despatched 23 - do —

Received

General No.

No. C. 606.

Enclosure No. 2 & 1 file.

Subject.

Requesting Government to move the Hon'ble the Resident in Mysore to issue Extradition warrants for the surrender of K. Abdul Rahiman, and Ja Krudden.

Read
24.10.03

Read
5-15 PM
24/10/03

No. C. 606

In 2 Files

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT.
Dated 22nd October 1903.

From,

F. E. C. Carew Esquire.
Deputy Commissioner & District Magistrate.
KOLAR DISTRICT.

To.

H. V. Nanjundayya Esquire,
Secretary to the Govt. of Mysore
General & Revenue departments.
Bangalore

Sir,

I have the honor to forward herewith, two applications for warrants under Act XXI of 1879, the "Foreign jurisdiction and Extradition Act", for the surrender of K. Abdul Rahimanand Fakrudeen, against whom a prima facie case under Sections 408 and 414 I. P. C. respectively, has been made out. The complete record of preliminary enquiry held before the Assistant Commissioner and 1st Class magistrate, Kolar Gold fields, is herewith submitted.

The 1st accused K. Abdul Rahimans now confined in the Sub-jail at Dimpatoor, Salem

Salem district, under remand from the Stationary magistrate of the said place and the 2nd accused Jakrudeen is on bail under the Orders of the Same magistrate.

I request that you will be so good as to move the Honorable the Resident in Mysore to issue the necessary warrant to the District magistrate of Salem, for the Surrender at an early date of the above mentioned accused persons to the Inspector of Police, Bowringpet.

I have the honor to be
Sir,
Your most obedient Servant.

District magistrate
Kolar district

Encl.

4

921 & 5-11-03.

Echo. 1 + Records.

SECTION Cacuts.

FILE NO. 120-03

SERIAL NO. 16

The Dist. Asst to the Regr in Mysore

Sir,

I am directed to forward in original the records in Criminal cases nos. 184 & 185 of 1903-04 on the file of the Asst Comr & Mr. class Magte, Nuggihalli, in which one Abdul Rahiman and his father Sahabuddin are charged respectively with the offences of criminal breach of trust by a servant (s. 408 of the I.P.C.) and dishonest misappropriation of stolen property (s. 414 of the I.P.C.). I am to say that in the Dist. Asst's opinion there is a good prima facie case against Abdul Rahiman, but that the evidence against Sahabuddin (who is reported to be an old man) is not sufficiently strong to render his conviction necessary

* to be obliged if returned when no longer required.

5

In these circumstances I am directed to request that an extradition warrant may be issued to the D.t Magistrate of Salem for the surrender of the first-named, Abdul Rahman, [redacted] & the despatches, Borringshelt, a-Borringshelt.

2. The usual statement* containing the necessary particulars for the preparation of the warrant is also enclosed.

I have &c

Hon.ble

24/11/3

Sec.

2 Nov 03

*Note
Send back these papers relating to this case, & retain the other Note.

J

3. XI. 03

Note.

~~After receipt of~~
~~reply from the D.C.~~

Inform the Magistrate that the extradition asked has been applied for.

Draft sub

24/11/03

Ptl 26/11/3

6

No.

OFFICE OF THE GOVT. OF MYSORE.

Dated

From

The General Secretary to the Government of Mysore.

To

The First Assistant to the Resident in Mysore.

SIR,

In forwarding copy of letter No. C. 606 dated 22nd October 1903 from the ~~Deputy Commissioner~~ Asst Magistrate Kolar District, as also ~~the record~~ in original (to be obligingly returned when no longer required), in Criminal Case No. ~~1864/85~~ of 1903-4 on the file of the Assistant Commissioner and 1st Class Magistrate of the Kolar Gold Fields in which one Abdul Rahman & another Natives of Sirapattoor are ~~is~~ charged, ~~with the offences~~ of Criminal breach of trust by a servant punishable under Section 408, I. P. Code, I am directed to request that an extradition warrant may be issued to the District Magistrate of Salem, for the surrender of the ~~said~~ accused persons to the Police Inspector Bowringpet at Bowringpet Town.

2. The usual statement containing the necessary particulars for the preparation of the warrant is also enclosed.

I have the honor to be,

Sir,

Your most obedient servant,

~~General~~ Secretary.

27.10.03

24/10/03

7

Cr. L. 906

Application for a Warrant und | *Act XXI of 187* | *Foreign Jurisdiction and* | *Extradition Act.*

1. Officer to whom the warrant should be issued. — The District Magistrate Salem District.

2. Magistrate of the District who wants the warrant issued. — The District Magistrate Kolar District.

3. Name and description of accused person. — K. Abdul Rahiman Son of Fakruddin Tirupattoor, Salem Dist.

4. Where or under whose custody the accused person is supposed to be. — In custody under remand of the Station — ary 2nd class Magistrate of Tirupattoor.

5. Name of the offence committed, and section of the Indian Penal Code under which the accused is charged. — Criminal Breach of trust by a servant in respect of Rs 235/- Section 408 of the Indian Penal Code. —

6. Officer to whom the accused should be surrendered — The Inspector of Police, Bowringpet.

7. Place at which the accused should be delivered. — Bowringpet Town Kolar District

8. Whether the accused is a British subject, a subject of Mysore, or to which State he belongs. — British Subject

Office of the ~~District Magistrate~~ Dewan of Mysore.

Bangalore, Camp Champion 22.10.1903.

~~District Magistrate~~
Under-Secretary.
Kolar District.

Central Jail Press, Bangalore.—27-1-1900—500.

Encl to 216

Application for a Warrant under Act XXI of 1879, for Fugitive Criminal Surrender.

Extradition Act.

1. Officer to whom the warrant should be issued. — District Magistrate of Salem District.

2. Magistrate of the District who wants the warrant issued. — District Magistrate of Kolar District

3. Name and description of accused person. — K. Sakkudan, Pookara Street, Tirupattoor, Salem

Where or under whose custody the accused person is supposed to be. — On bail under warrant of the Stationary 2nd class Magistrate of Tirupattoor

5. Name of the offence committed, and section of the Indian Penal Code under which the accused is charged. — Assisting in the disposal of Stolen property Section 414 of the Indian Penal Code

6. Officer to whom the accused should be surrendered — The Inspector of Police, Bowringpet

7. Place at which the accused should be delivered. — Bowringpet Town Kolar District

8. Whether the accused is a British subject, a subject of Mysore, or to which State he belongs. — British Subject

District Magistrate

OFFICE OF THE DEWAN OF MYSORE

Bangalore Cantonment 7.2.10

District Magistrate

9

3

To
The Commissioner
Police Department
Colombo

The Dt Magte
Kolar Dt

Dated 7/11/03

No 935

The Dt Magte's letter no C. 606 dated 22nd Oct. 1903, applying for the extradition of K. Abdul Rahiman and Fakrudeen, accused of Criminal Breach of Trust.

Adverting to the above, has the honour to inform the Dt Magte that the extradition of the 1st accused, Abdul Rahiman, has

has alone been applied for, as the evidence against the 2nd accused is not considered sufficiently strong to render his extradition necessary.

By order

for Secretary

6/11/13

6/11/13

MYSORE GOVERNMENT GENERAL SECRETARIAT
8739.
11 NOV. 1903
1902-3

11

From

THE FIRST ASSISTANT TO THE
HON'BLE THE RESIDENT
IN MYSORE.

To

THE DEWAN OF MYSORE.

Dated } 9th November 1903
Despatched }

Received Pol No 702 d 10-11-03

General No. 5461
No.

Enclosure No. One

Concerning the extradition of one K. Abdul Rahiman, accused of having committed the offence of criminal breach of trust.

References to be marked.

MGCPB—1,000—5-6-03

No. 5461.

From R. C. H. Mossking Esquire, I. C. S.,
~~The~~ FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

THE DEWAN OF MYSORE.

Dated Bangalore, the 9th November 1903.

SIR,

I am directed to acknowledge the receipt of ~~your~~ Mr. Nanjundayya's ~~Secretary's~~ letter No. 921/9, dated the 5th November 1903, asking for the issue of an extradition warrant for the surrender of K. Abdul Rahiman who is accused of having committed the offence of Criminal Breach of trust by a servant in Mysore territory.

2. In reply, I am to inform you that a warrant has this day been issued to the District Magistrate of Salem for the surrender of the accused person to the Police Inspector of ~~the~~ Bowringpet of Kolar District at Bowringpet

3. The original enclosures to your letter under acknowledgment are herewith returned.

I have the honour to be,
Sir,
Your most obedient Servant,

First Assistant to the Resident.

R. P. B.—03.—200.

189 . 13

From

The Secretary to the Govt. of Mysore,
General & Revenue Departments.

To

The District Magistrate of Kolar

Dated 13/11/03

Despatched

Received

General No. 994
No.

Enclosure No. 1 file.

This ~~With reference to his letter~~ No. 935 dated 7th Nov 1903 ~~submitting an application for the issue of an extradition warrant for the surrender of~~ regarding the Surrender of Abdul Rahman accused of criminal breach of trust by a servant under Section 408 I. P. C., intimates that the Resident has on the 9th Nov 1903, issued a warrant to the Dt Magte of Salem

for the surrender of the accused person to the Police Inspector of Bowringpet at Bowringpet.

2. The Original enclosures received with the District Magistrate's letter ~~under~~ No. C. 606 dt 22-10-03 ~~reply~~ are herewith returned.

"By Order,"

Secretary.